

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

WAYNE M. FOURNERAT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-09-391-M
	)	
WISCONSIN LAW REVIEW, et al.,	)	
	)	
Defendants.	)	

**ORDER**

Before the Court is Defendant Rodney Uphoff's Motion to Dismiss and Brief in Support [docket no. 71] and Notice of Motion and Motion to Dismiss by Defendants Wisconsin Law Review, Kerry Burchill Murphy, and Lola Velazquez-Aguilu [docket no. 68] and brief in support [docket no. 69], all filed on November 30, 2009. As this matter is ripe for adjudication, the Court makes its determination.

This action is brought under 42 U.S.C. §§ 1983, 1985 and for other various constitutional violations. The motions of defendants Rodney Uphoff, Wisconsin Law Review, Kerry Burchill Murphy and Lola Velazquez-Aguilu seek dismissal of all claims under Federal Rules of Civil Procedure 8(a), 12(b)(2) and 12(b)(6). As of this date, Plaintiff, however, has not filed a response to either submission, nor has he sought an extension of time within which to file a response. Therefore, the Court deems the allegations in the motions of defendants Rodney Uphoff, Wisconsin Law Review, Kerry Burchill Murphy and Lola Velazquez-Aguilu confessed pursuant to LCvR7.1(g).

Accordingly, the motions to dismiss of defendants Rodney Uphoff, Wisconsin Law Review, Kerry Burchill Murphy and Lola Velazquez-Aguilu are GRANTED.

**IT IS SO ORDERED this 10<sup>th</sup> day of May, 2010.**



VICKI MILES-LaGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE